



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,556	02/09/2001	Seog Yeon Han	2950-185P	6169

2292 7590 03/04/2003

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
----------	--------------

2172

6

DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

**Office Action Summary**

Application No.

09/779,556

Applicant(s)

HAN ET AL.

Examiner

Monplaisir G Hamilton

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 February 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2172

**DETAILED ACTION**

1. Claims 1-20 are pending.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Drawings***

3. The drawings are objected to because of informalities not on PT0-948 Notice of Draftsperson's Drawing Review. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-3 rejected under 35 U.S.C. 102(e) as being anticipated by US 6396998 issued to Nozaki et al, herein referred to as Nozaki.

Referring to Claim 1:

Nozaki discloses a file managing method in reproducing a rewritable disk, comprising the steps of: (a) checking the file names and/or directories of files written in the rewritable disk (col 8, lines 50-60); and (b) providing a message indicating that reproduction is impossible when the file names and/or directories are against a standard file scheme pre-specified for a disk containing real time data (Fig 2; col 4, lines 63-67; col 5, lines 1-3; col 8, lines 60-65;)

Referring to Claim 2:

Nozaki discloses the limitations as discussed in Claim 1 above. Nozaki further discloses the reason why the reproduction is impossible is contained in said message (col 8, lines 55-67).

Art Unit: 2172

Referring to Claim 3:

Nozaki discloses the limitations as discussed in Claim 1 above. Nozaki further discloses steps (a) and (b) are conducted when the reproduction is requested (col 8, lines 48-50).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6396998 issued to Nozaki et al, herein referred to as Nozaki in view of US 6389569 issued to Chung et al, herein referred to as Chung.

Referring to Claim 4:

Nozaki discloses a file managing method in recording a data stream in a rewritable disk, comprising the steps of: (a) checking a file name and/or directory of the file requested to be recorded in the rewritable disk (col 7, lines 39-43);

Nozaki does not explicitly disclose "(b) providing a message indicating that reproduction would fail later if recorded as requested when the file name and/or the directory is against a standard file scheme pre-specified for a disk containing real-time data file."

Art Unit: 2172

Chung discloses providing a message indicating that reproduction would fail later if recorded as requested when the file name and/or the directory is against a standard file scheme pre-specified for a disk containing real-time data file (col 6, lines 15-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Nozaki to provide a message indicating that reproduction would fail later if recorded as requested when the file name and/or the directory is against a standard file scheme pre-specified for a disk containing real-time data file. One of ordinary skill in the art would have been motivated to do this because it would allow the user to be notified that real time reproduction of the data is not possible (col 6, lines 25-30).

Referring to Claim 5:

Nozaki in view of Chung disclose the limitations as discussed in claim 4 above. Chung further discloses recording received data as requested if the request of record is received again after the message being provided (col 6, lines 18-24).

Referring to Claim 6.

Nozaki in view of Chung disclose the limitations as discussed in claim 4 above. Nozaki further discloses deleting information received when the file record is requested if the request of record is cancelled after the message being provided (col 8, lines 10-15).

Art Unit: 2172

Referring to Claim 7:

Nozaki in view of Chung disclose the limitations as discussed in claim 4 above. Chung further discloses the reason why the later reproduction would fail is contained in said message (col 6, lines 15-20).

7. Claims 1, 4 and 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US5889942 issued to Orenshteyn, herein referred to as Orenshteyn in view of US 6389569 issued to Chung et al, herein referred to as Chung.

Referring to Claim 8:

Orenshteyn discloses a method conducted in a computer for -managing files written in a rewritable disk, comprising the steps of: (a) checking the file type of the file is requested (col 5, lines 44-50; col 13, lines 64-67, col 14, lines 1-6); and

Orenshteyn does not explicitly disclose “(b) providing a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types”

Chung discloses providing a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types (col 6, lines 15-30).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Orenshteyn to provide a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types. One of ordinary skill in the art would have been motivated to do

Art Unit: 2172

this because it would allow the user to be notified that real time reproduction of the data is not possible (col 6, lines 25-30).

Referring to Claim 9:

Orenshteyn in view of Chung disclose the limitations as discussed in claim 8 above. Orenshteyn further discloses renaming or moving the file as requested, if the requested file operation is demanded again after the message being provided (col 14, lines 7-20).

Referring to Claim 10:

Orenshteyn in view of Chung disclose the limitations as discussed in claim 8 above. Chung further discloses the pre-specified file types is indicative of a file containing real-time data (col 4, lines 60-65; col 5, lines 60-67; col 6, lines 1-5).

Referring to Claim 11:

Orenshteyn in view of Chung disclose the limitations as discussed in claim 8 above. Chung further discloses the pre-specified file types are designated by means of file names defined in a file system standardized for a rewritable disk containing real-time data stream (col 4, lines 35-65).

Referring to Claim 12:

Orenshteyn in view of Chung disclose the limitations as discussed in claim 8 above. Chung further discloses step (a) refers to a 1-byte type field written in a table of information

Art Unit: 2172

control block (ICB) tag contained in a file entry addressed by an ICB field of a file identifier descriptor (col 4, lines 35-40).

Referring to Claim 13:

Orenshteyn disclose a method conducted in a computer for managing files written in a rewritable disk, comprising the steps of: (a) checking the types of all files under a directory if the directory is requested to be renamed (col 13, lines 60-68); and

Orenshteyn does not explicitly disclose “(b) providing a message indicating that disk reproduction would be impossible after the directory is renamed, if the type of at least a file under the directory is one among pre-specified file types.”

Chung providing a message indicating that disk reproduction would be impossible after the directory is renamed, if the type of at least a file under the directory is one among pre-specified file types (col 6, lines 15-30).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings to Orenshteyn to provide a message indicating that disk reproduction would be impossible after the directory is renamed, if the type of at least a file under the directory is one among pre-specified file types. One of ordinary skill in the art would have been motivated to do this because it would allow the user to be notified that real time reproduction of the data is not possible (col 6, lines 25-30).

Art Unit: 2172

Referring to Claim 14:

Orenshteyn in view of Chung disclose the limitations as discussed in claim 13 above. Orenshteyn further discloses renaming the directory as requested, if the requested operation is demanded again after the message being provided (col 14, lines 5-25).

8. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6396998 issued to Nozaki et al, herein referred to as Nozaki further in view of US 6381694 issued to Yen herein referred to as Yen.

Referring to Claim 15:

Nozaki discloses a file managing method in recording data stream in a rewritable disk, comprising the steps of: (a) checking whether or not a file structure formed in the rewritable disk conforms to a standard file system pre-specified for a disk containing real-time data stream (col 13, lines 45-60); and (c) writing input data stream in a data file belonging to the corrected file structure (col 14, lines 1-48).

Nozaki does not explicitly disclose "(b) correcting the file structure of the rewritable disk if the file structure is against the standard file system"

Yen discloses correcting the file structure of the rewritable disk if the file structure is against the standard file system (Fig 2; col 2, lines 5-20; col 6, lines 20-40).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Nozaki to correct the file structure of the rewritable disk if the file structure is against the standard file system. One of ordinary skill in the art would have

Art Unit: 2172

been motivated to do this because it would allow automatic correction of file system errors (col 6, lines 25-30).

Referring to Claim 16:

Nozaki and Yen disclose the limitations as discussed in claim 15. Nozaki further discloses the file structure is against the standard file system if a directory pre-defined in the standard file system is not found (col 8, lines 60-65).

Referring to Claim 17:

Nozaki and Yen disclose the limitations as discussed in claim 15. Nozaki further discloses the file structure is against the standard file system if the file name of a data file containing real-time data stream is different from the file name predefined-in the standard file system (col 9, lines 1-15).

Referring to Claim 18:

Nozaki and Yen disclose the limitations as discussed in claim 15. Nozaki further discloses the file structure is against the standard file system if the file recording information written in a navigation file does not accord with existing data stream files (col 9, lines 1-50).

Art Unit: 2172

Referring to Claim 19:

Nozaki and Yen disclose the limitations as discussed in claim 15. Yen further discloses copying the file structure before correction, and makes the copied file structure be distinguishable from the corrected file structure (col 8, lines 60-65).

Referring to Claim 20:

Nozaki and Yen disclose the limitations as discussed in claim 15. Yen further discloses a message asking whether or not the requested recording operation is proceeded if the file structure is against the standard file scheme, and corrects the file structure of the rewritable disk if the requested recording operation is demanded again (col 5, lines 5-15; col 6, lines 20-35).

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0176341 by Ko et al, herein referred to as Ko further in view of US 6381694 issued to Yen herein referred to as Yen.

Ko discloses a file managing method in recording data stream in a rewritable disk, comprising the steps of: (a) checking whether or not a file structure formed in the rewritable disk conforms to a standard file system pre-specified for a disk containing real-time data stream (page 2, paragraph 0040; page 3, paragraph 0044; page 7, paragraph 0110); and (c) writing input data stream in a data file belonging to the corrected file structure (page 5, paragraph 0076).

Ko does not explicitly disclose “(b) correcting the file structure of the rewritable disk if the file structure is against the standard file system”

Art Unit: 2172

Yen discloses correcting the file structure of the rewritable disk if the file structure is against the standard file system (Fig 2; col 2, lines 5-20; col 6, lines 20-40).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Ko to correct the file structure of the rewritable disk if the file structure is against the standard file system. One of ordinary skill in the art would have been motivated to do this because it would allow automatic correction of file system errors (col 6, lines 25-30).

*Prior Art*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6308288 issued to Chang, Vam et al. Chang discloses a testing method of the integrity of the software pre-installed in a computer hard disk by providing a file information access function to directly read data on the physical magnetic tracks of a hard disk through a lower level operating method, and to obtain and then test the file names, file sizes, file storage locations and other information stored in all partitions (including hidden partitions and normal partitions).

US 6088747 issued to Cotugno, Lauren Ann et al. Cotugno discloses a system and method for transforming specialized data files of a first computer system into industry-standard byte-stream files usable for a second system or other systems. First and second programmatic interfaces of the first system can take the specialized format native data files and transform

Art Unit: 2172

them into standard formatted byte-stream data files for placement in a storage media of a second computer system which can then be initiated to use a CD Writer package to cause the data files to be burned onto a CD-ROM.


*Conclusion*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 1703-746-7239 for regular communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton  
February 23, 2003

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100